

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

G.D. SEARLE LLC and PFIZER ASIA PACIFIC)
PTE. LTD.,)

Plaintiffs,)

v.)

LUPIN PHARMACEUTICALS, INC., TEVA)
PHARMACEUTICALS USA, INC., MYLAN)
PHARMACEUTICALS INC., WATSON)
LABORATORIES, INC., APOTEX INC., and)
APOTEX CORP.,)

Defendants.)

)
)

CASE NO. C.A. 2:13-CV-0121)

Judge Arenda L. Wright Allen)

MYLAN PHARMACEUTICALS INC.'S MOTION FOR SUMMARY JUDGMENT

Defendant Mylan Pharmaceuticals Inc. (“Mylan”), by counsel, moves for summary judgment of invalidity against U.S. Reissued Patent No. RE44,048 E (“the ’048 reissue patent”) asserted by Plaintiffs G.D. Searle LLC and Pfizer Asia Pacific Pte. Ltd. (collectively “Pfizer”). A memorandum of points and authorities accompanies this motion.

WHEREFORE, Mylan respectfully asks the Court to grant its motion for summary judgment, dismiss this action with prejudice as to it, and award it its taxable costs.

Dated: November 22, 2013

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CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2013, a true and correct copy of the foregoing was filed electronically using the CM/ECF system. As such, this document was served on all counsel who have consented to electronic service, including as follows:

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